

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:
AMBAC ASSURANCE CORPORATION,	:
	:
Plaintiff,	:
	:
-against-	:
	:
EMC MORTGAGE CORPORATION,	:
	:
Defendants.	:
	:
-----	X

Index No. 08 Civ. 9464 (RMB) (THK)

**DECLARATION OF ERIC N.
WHITNEY IN SUPPORT OF
DEFENDANT EMC
MORTGAGE CORPORATION'S
MOTION TO SEAL AMBAC
ASSURANCE CORPORATION'S
MOTION FOR LEAVE TO
AMEND ITS COMPLAINT**

I, ERIC N. WHITNEY, hereby declare as follows:

1. I am a Shareholder in the law firm Greenberg Traurig LLP, counsel to EMC Mortgage Corporation. I submit this declaration in support of Defendant EMC Mortgage Corporation's Motion to Seal Ambac Assurance Corporation's Motion for Leave to Amend Its Complaint.

2. Attached hereto as Exhibit 1 is a true and correct copy of a FINRA Uniform Application for Securities Industry Registration or Transfer (FINRA Rev. Form U4 (05/2009)), *available at* <http://www.finra.org/web/groups/industry/@ip/@comp/@regis/documents/appsupportdocs/p015112.pdf>.

Executed pursuant to 28 U.S.C. § 1746, this 5th day of August, 2010.

/s/ Eric N. Whitney
Eric. N. Whitney